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**OFFICE OF PETITIONS**

In re Patent No. 7,022,328	:	
Issued: April 4, 2006	:	
Application No. 09/077,574	:	DECISION ON PETITION
Filed: September 24, 1998	:	
Attorney Docket No. DAVIE60001AP	:	

This is a decision on the petition, filed, February 15, 2006, which is being treated as a request under 37 CFR 3.81(b)<sup>1</sup> to correct the assignees' data on the Fee(s) Transmittal form PTOL-85(b) by way of a certificate of correction in the patent to be issued from the above-identified application.

The request is **GRANTED**.

Petitioner seeks to add an additional assignee, Agriculture Victoria Services Pty. Ltd., by way of certificate of correction and state that the assignee was omitted from the Fee(s) Transmittal form PTOL-85(b) at the time of payment of the issue fee. Accordingly, petitioner requests that a certificate of correction be issued to reflect the correct assignees on the front page of the Letters Patent in the patent to be issued from the application.

37 CFR 3.81(b), effective June 25, 2004, reads:

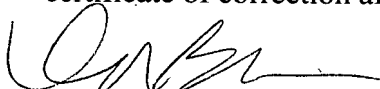
*After payment of the issue fee:* Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

<sup>1</sup> See MPEP 1309, subsection II; and Official Gazette of June 22, 2004.

The request was accompanied by a certificate of correction (and fee) as required by 3.81(b). Further, Office assignment records support the requested addition of assignee. Accordingly, as the request complies with the provisions of 37 CFR 3.81(b), it would be appropriate for a certificate of correction to be processed after issuance of this application into a patent.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-3205. Any questions concerning the issuance of a certificate of correction should be directed to the Certificates of Correction Branch at (571) 272-4200.

This matter is being referred to the Certificates of Correction Branch for processing of a certificate of correction after issuance of this application into a patent.

A handwritten signature in black ink, appearing to read 'A. Brown', is written over the printed name.

Alesia M. Brown  
Petitions Attorney  
Office of Petitions